

REMARKS

Claims 1-4 remain pending in this application and are rejected. New claims 5-12 are added herein. Claims 1-4 are amended herein.

The drawings are objected to for not showing every feature of the invention specified in the claims. More specifically, the Office Action asserts that the drawings do not show a “fluid dynamic bearing”.

Applicants respectfully traverse the objection. “Fluid bearings are bearings which solely support the bearing's loads on a thin layer of liquid or gas.” See Wikipedia , Retrieved February 9, 2009, http://en.wikipedia.org/wiki/Fluid_dynamic_bearing. In other words, in a fluid dynamic bearing there is no direct contact between the bearing and the load. Fig. 6 of the current application shows details of the motor (7). As may be seen, the shaft (18) which rotatably supports the hub or rotation member (24) does not have contact with the rotation member (24). Applicant particularly points out in the specification that there is a minute space (19) between the sleeve (20), which is connected to the rotation member (24), and the shaft (18). Moreover, there is a space between the thrust magnet (26), connected to the rotation member (24), and the thrust magnet (27), connected to the shaft (18). Thus, Fig. 6 clearly illustrates that in the

motor (7) there is no contact between the shaft (18), which acts as a bearing, and the rotation member (24). Therefore, Fig. 6 shows the motor with a fluid dynamic bearing.

Claims 1 and 4 are objected to for reciting “prevent to hit the case body” because the phrase causes confusion.

Applicants note that it is claims 2 and 4 which recite the language at issue. Claims 2 and 4 are amended herein to clarify the claim language by reciting “means for ... preventing the impeller from hitting the case body.”

Claims 1 and 2 are rejected under 35 U.S. C. §112, first paragraph, for reciting “suction mouth formed at least one side surface thereof”.

Applicants have amended the claims herein to recite “suction mouth formed *on* at least one side surface thereof”, so as to clarify that the suction mouth is located on a side surface and does not itself form the side surface.

Claims 1 and 2 are rejected under 35 U.S. C. §102(b) as anticipated by Yamashita (U.S. Pat. No. 6,236,129).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicants respectfully traverse the rejections at least for the reasons discussed below.

Yamashita discloses a “pivot bearing” (9) where the leading end thereof is in contact with a rotor (8). In contrast, the current invention discloses a fluid dynamic bearing where the shaft (18) around which the rotation member (24) is rotatably supported is not in contact with the rotation member (24). Thus, claims 1 and 2 are not anticipated by Yamashita because Yamashita does not disclose a fluid dynamic bearing as recited in claims 1 and 2. Applicants have also added new claims 5 and 6, 11 and 12 which further distinguish the structure of the motor of the current invention from Yamashita.

In regard to claim 2, the Office Action avers that the thrust bearing (18) is equivalent to the means for blocking an extreme movement of the impeller and preventing it from hitting the case body. As the Office Action points out, for the means recited in the claim to read upon the thrust bearing (18) disclosed in Yamashita, the thrust bearing must perform the same function in substantially the

same way to produce substantially the same result. However, the thrust bearing (18) in Yamashita does not perform substantially the same way as the means disclosed in the specification. As clearly identified on page 4 of the current application, the plurality of holes (30) in the impeller body (28) are the means referred to in claim 2. The holes (30) prevent the erratic movement of the impeller by equalizing the pressure on either side of the impeller (28). In contrast, the thrust bearing (18) in Yamashita mechanically restricts the fan (8) from moving within a certain distance of the frame (1); there is no mechanism disclosed in Yamashita to equalize the pressure of the two sides of the fan (8). Therefore, the means-plus-function language in the claim 2 does not satisfy the test to read upon the thrust bearing (18) of Yamashita. Thus, Yamashita does not anticipate claim 2, because Yamashita does not disclose a structure with the means for blocking an extreme movement of the impeller and preventing it from hitting the case body as recited in the claims. Applicants have also added new claims 9 and 10, which further distinguish this aspect of the structure of the air blower of the current invention from Yamashita.

Claim 3 and 4 are rejected under 35 U.S.C. §103(a) as obvious over Yamashita in view of McMahan (U.S. Pat. No. 2,171,342). In essence, the rejection characterizes the claims as simply combining prior art elements according to known methods to yield predictable results.

MPEP §2143 states that when rejecting a claim based on the rationale that the recited structure is simply “combining prior art elements according to known methods to yield predictable results” there must be a “finding that the prior art included each element … with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference.” In addition, there must be a finding that “each element merely performs the same function as it does separately.” MPEP §2143. Applicants respectfully traverse the rejections and, alternatively, aver that the claims as amended overcome the rejections at least for the reasons discussed below.

As previously mentioned, Yamashita discloses a “pivot bearing” (9) where the leading end thereof is in contact with a rotor (8). In contrast, the current invention discloses a fluid dynamic bearing where the shaft (18) around which the rotation member (24) is rotatably supported is not in contact with the rotation member (24). Thus claims 3 and 4 are not rendered obvious by Yamashita in view of McMahan, because Yamashita does not disclose a fluid dynamic bearing as recited in claims 3 and 4. Applicants have also added new claims 7 and 8, which further distinguish the structure of the motor of the current invention from Yamashita.

In addition, as discussed above, the thrust bearing (18) of Yamashita does not perform substantially the same way as the means for blocking an extreme movement of the impeller and preventing it from hitting the case body disclosed in the specification of the current application. Claim 3 has been amended to include the specific structural limitations related to the particular means. Moreover, claim 4 contains similar means language as claim 2 and also includes further language which distinguishes the means by reciting the manner in which the means works, i.e. equalization of pressure. Thus, both claims 3 and 4 recite structural limitations directed to this distinguishing characteristic of the current invention over Yamashita.

Since the present application is a national stage application of a PCT application, the priority document was filed with the International Bureau. The Examiner is respectfully requested to obtain the priority document from the PCT/designated office unit in the U.S. Patent Office and acknowledge receipt thereof in the next Office Action.

No fee is believed due. If there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,
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